UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

THYSSENKRUPP STAINLESS USA, LLC, a wholly owned subsidiary of OUTOKUMPU STAINLESS USA, LLC

and

Cases 15-CA-070319 15-CA-073053

UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO, CLC

ORDER DENYING MOTION1

The Respondent's Motion for Summary Judgment is denied. The Respondent has failed to establish that it is entitled to judgment as a matter of law.²

Dated, Washington, D.C., November 22, 2013

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² In his opposition to the Respondent's motion, the General Counsel represents that "[t]he Regional Director of Region 15 determined not to file a motion for Default Judgment and, instead, issued a complaint and scheduled a hearing on the merits of the allegations," and that "the Region plans to amend the complaint to explicitly set aside the informal settlement." General Counsel's opposition, pp. 3-4, fn. 1. We do not pass on the propriety of setting aside the settlement agreement. That is an issue for the judge to decide in the first instance, based on a more complete record regarding, for example, the posting of the notice and letter, and the Respondent's compliance with the affirmative settlement terms